

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 9

March 13, 2002

SUBJECT: REQUESTING A SIGN LANGUAGE INTERPRETER - REVISED

PURPOSE: The Americans with Disabilities Act (ADA) and California law require that the Department provide reasonable accommodations to persons with disabilities (e.g., deaf/hard of hearing) ensuring equal access to programs, services, and activities. In an effort to provide the best possible police service and in keeping with our commitment to treat everyone with dignity and respect, it is the responsibility of every Department employee to ensure that appropriate and *effective communication* is established in all community contacts, including contacts with the deaf/hard of hearing.

This Order delineates the Department's procedure to ensure compliance with State and federal law with regard to providing effective communication and activates the Deaf/Hard of Hearing Communication Card, Form 02.97.0.

PROCEDURE: When coming in contact with a deaf or hard of hearing person, Department employees are required to provide effective communication. The length, importance, and complexity of the communication must be considered in determining how to achieve effective communication in a given situation. Use of pen and paper, gestures or requesting a Department American Sign Language (ASL) communicator may suffice. When pen and paper, gestures or a Department ASL communicator is not effective, employees should request a **professional** Sign Language Interpreter (SLI). The City has contracted with an outside provider to furnish qualified professional SLIs who will usually respond within 45 minutes of a request.

I. DEAF/HARD OF HEARING COMMUNICATION CARD, FORM 02.97.0 - ACTIVATED.

A. Use of Form. This form (Spanish/English) is provided to assist Department employees in communicating effectively with the deaf or hard of hearing. Employees may use this card to communicate with a deaf or hard of hearing person to determine the need for an SLI. The card can also be used to advise a deaf or hard of hearing person that an SLI is responding to assist with communication and/or that he/she is under arrest and the location to which they are being

transported.

- B. Completion.** The issuing employee shall complete the appropriate fill-in-section and check-box with regard to the question or advisement directed to the deaf or hard of hearing person.

C. Distribution.

- 1 - Original, issued to the deaf or hard of hearing person.

1 - TOTAL

II. EMPLOYEE'S RESPONSIBILITY.

- A. Minor Incident.** An employee coming into contact with a deaf or hard of hearing person when the contact is of a minor nature (e.g., traffic stop, completion of a basic crime report, etc.) should attempt to communicate effectively with the deaf or hard of hearing person by using a pen and paper, gestures, or by requesting a Department ASL communicator or professional SLI via Communications Division.

Note: Generally, family members or friends of the deaf or hard of hearing person should not be used as an interpreter except in incidents that present a clear and immediate threat to the employee or public safety.

- B. Serious/Complex Incident.** An employee investigating a serious incident (e.g., a complex investigation, investigation requiring Miranda admonition, test measuring alcohol consumption, arrest, etc.) involving a deaf or hard of hearing person should request a professional SLI via Communications Division to ensure effective communication.

Note: An SLI is not needed to effect an arrest. However, if an SLI is determined to be necessary to communicate effectively, a professional SLI shall be requested to the scene, or to a follow-up location (e.g., police station, Jail Division).

- C. Mandatory Use.** Regardless of the complexity of the incident, officers shall request a professional SLI

via Communications Division when one of the following conditions exist:

- * Efforts fail to establish effective communication;
- * A Department ASL communicator is not available or cannot respond within a reasonable time; or,
- * The deaf or hard of hearing person requests a professional SLI.

D. Scheduled Events. For scheduled events, employees may request a professional SLI via the City's Department on Disability 72 hours prior to the event. Currently, the Department on Disability can be reached at (213) 485-6334.

E. Sign Language Interpreter Response/Arrest Advisement. Anytime an employee requests a professional SLI, the requesting employee should complete and issue the Deaf/Hard of Hearing Communication Card advising the deaf or hard of hearing person that an SLI is responding to assist with communication.

When an officer arrests a deaf or hard of hearing person, and the arresting officer requests a professional SLI, the officer should complete and issue the Deaf/Hard of Hearing Communication Card advising the deaf or hard of hearing person that they are under arrest and being transported, and that an SLI has been requested.

Employees shall document the issuance of the Deaf/Hard of Hearing Card on their Daily Field Activities Report, Form 15.52.0 or equivalent, and any related report(s).

III. COMMUNICATIONS DIVISION RESPONSIBILITY. Upon receiving a request for a sign language communicator, Communications Division personnel shall verify whether a Department ASL communicator or a professional SLI is being requested.

A. Department ASL Communicator Requested. Upon receiving a request for a Department ASL communicator, Communications Division shall attempt to locate an on-duty Department ASL communicator. If none are available, Communications Division shall contact the outside provider, who will cause a qualified professional SLI to respond.

B. Professional SLI Requested. Upon receiving a request for a professional SLI, Communications Division shall contact the outside provider, who will cause a qualified professional SLI to respond to the location designated by the requesting employee.

FORM AVAILABILITY: The Deaf/Hard of Hearing Communication Card, Form 02.97.0, will be available for ordering from the Department of General Services, Distribution Center, in about 90 days. A copy of the form is attached for duplication and immediate use.

AMENDMENTS: This Order adds Section 4/203.37 and 5/02.97 to the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Personnel Group, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

BERNARD C. PARKS
Chief of Police

Attachment

DISTRIBUTION "D"